

### § 3.01-1

3.10-10 Right of appeal.

AUTHORITY: 46 U.S.C. 2113, 3306; 49 CFR 1.46.

SOURCE: CGD 77-081, 46 FR 56202, Nov. 16, 1981, unless otherwise noted.

#### **Subpart 3.01—Authority and Purpose**

##### **§ 3.01-1 Purpose of regulations.**

The purpose of the regulations in this part is to establish standard procedures for the designation of certain vessels as oceanographic research vessels as defined in 46 U.S.C. 2101(18).

[CGD 77-081, 46 FR 56202, Nov. 16, 1981, as amended by CGD 95-028, 62 FR 51195, Sept. 30, 1997]

#### **Subpart 3.03—Application**

##### **§ 3.03-1 Vessels subject to the requirements of this part.**

The regulations in this subchapter are applicable to U.S. flag vessels desiring designation as oceanographic research vessels in accordance with 46 U.S.C. 2101(18).

[CGD 77-081, 46 FR 56202, Nov. 16, 1981, as amended by CGD 95-028, 62 FR 51195, Sept. 30, 1997]

#### **Subpart 3.05—Definition of Terms Used in This Part**

##### **§ 3.05-1 Letter of designation.**

A letter issued by an Officer in Charge, Marine Inspection, designating an uninspected vessel as an oceanographic research vessel.

##### **§ 3.05-3 Oceanographic research vessel.**

“An oceanographic research vessel is a vessel which the U.S. Coast Guard finds is employed exclusively in one or more of the following:

- (a) Oceanographic instruction;
- (b) Limnologic instruction;
- (c) Oceanographic research; or,
- (d) Limnologic research.”

#### **Subpart 3.10—Designation**

##### **§ 3.10-1 Procedures for designating oceanographic research vessels.**

(a) Upon written request by the owner, master, or agent of a vessel, a

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determination will be made by the Officer in Charge, Marine Inspection, of the zone in which the vessel is located, whether the vessel may be designated as an oceanographic research vessel.

(b) The request should contain sufficient information to allow the Officer in Charge, Marine Inspection, to make this determination. At a minimum, the following items must be submitted:

(1) A detailed description of the vessel, including its identification number, owner and charterer.

(2) A specific operating plan stating precisely the intended use of the vessel.

(3) Any additional information as may be requested by the Officer in Charge, Marine Inspection.

(c) If designation is granted, it shall be indicated as follows:

(1) For inspected vessels—indicated on the certificate of inspection, valid for its duration.

(2) For uninspected vessels—indicated by a letter of designation, which shall be maintained on board the vessel and remain in effect for two years from date of issuance.

(d) All designations shall remain valid for the period specified on the applicable document, provided all operating conditions remain unchanged from the date of designation.

(e) In the event of a change in operating conditions, the owner, master, or agent of the vessel shall advise the Officer in Charge, Marine Inspection who issued the designation. After reviewing the pertinent information concerning the operational changes, the Officer in Charge, Marine Inspection, shall determine if the vessel is still eligible to retain its designation as an oceanographic research vessel.

[CGD 77-081, 46 FR 56202, Nov. 16, 1981, as amended by CGD 95-028, 62 FR 51195, Sept. 30, 1997]

##### **§ 3.10-5 Renewal of letter of designation.**

At least 60 days prior to the expiration date of the letter of designation or certificate of inspection, a request for renewal must be submitted in the same manner as described in 3.10-1. However, if the request for renewal is submitted to the Officer in Charge, Marine Inspection, who made the initial determination and all operating conditions

remain unchanged, the information required by §3.10-1(b) need not be resubmitted with the request.

#### **§3.10-10 Right of appeal.**

Any person directly affected by a decision or action taken under this part, by or on behalf of the Coast Guard, may appeal therefrom in accordance with subpart 1.03 of this chapter.

[CGD 88-033, 54 FR 50379, Dec. 6, 1989]

## **PART 4—MARINE CASUALTIES AND INVESTIGATIONS**

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